THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.4546 of 2007

13.3.2007

Between:

Smt.Shaheda Siddiqui, W/o.Shahabuddin Khan

… Petitioner

AND

The Special Chief Secretary to Government of Andhra Pradesh, Revenue (ASN-I) Department, Secretariat, Hyderabad

And others

… Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.4546 of 2007

ORDER:

The petitioner is statedly in possession of the premises bearing No.8-2-603/B/34/76/2 with appurtenant land admeasuring 447 Sq.yards in survey No.403, Ward No.10, Block-G of Shaikpet village, Banjara Hills Road No.10, Hyderabad. The property was purchased under an agreement of sale dated 19.10.1980 from Md. Lateefuddin Khan. The petitioner applied to the second respondent seeking regularization of her occupation as per the guidelines in G.O.Ms.No.508 Revenue (Assn.I) Department dated 20.5.1995. Respondents 2 to 4 issued notice dated 29.10.2002 calling upon the petitioner to pay a sum of Rs.12,81,000/- being the amount for regularization. Feeling aggrieved by the same, the petitioner filed W.P.No.22129 of 2002 before this Court contending that the amount fixed is excessive. This Court disposed of the writ petition on 14.11.2002 giving liberty to the petitioner to make a representation for redressal. The first respondent was directed to pass appropriate orders. It appears that the first respondent forwarded the matter to the second respondent, who passed the impugned order on 19.2.2007 cancelling the regularization mainly on the ground that the petitioner failed to deposit the amount within the stipulated time.

After hearing the learned Counsel for the petitioner and learned Assistant Government Pleader for Revenue (General-T), this Court is convinced that the petitioner has no right to seek invalidation of the impugned order. As rightly pointed out by the learned Assistant Government Pleader, the second respondent passed the impugned order strictly in accordance with the guidelines contained in G.O.Ms.No.972, Revenue (Asn.I) Department dated 04.12.1998, which provided *inter alia* that if the encroacher failed to pay the market value,

the regularization shall stand cancelled. Therefore, if the petitioner has any grievance, she may approach the Government by filing a revision petition. As the entire exercise undertaken by the Government to regularize the Government lands is in accordance with guidelines issued in exercise of its executive power and the impugned order is passed by the District Collector in exercise of such power, the Government can always review the orders passed by the District Collector. Therefore, this Court observes that the petitioner may file application before the first respondent seeking revision of the orders of the District Collector. As and when such application is filed, the Government may pass appropriate orders within a period of four months from the date of receipt of a copy of this order.

The writ petition, with the above observations, is accordingly disposed of. No costs.

_____

March 13, 2007 (**V.V.S.RAO,J**)

YS